

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

ORDER OF JUDICIAL REMOVAL

- against -

Criminal Docket No. 22 Cr. 244 (VEC)

JULIO ANALDO HERNANDEZ,
a/k/a "Julio Hernandez"
a/k/a "Julio Hernandez-Burgos,"

Defendant.

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Upon the application of the United States of America, by Jonathan Bodansky, Assistant United States Attorney, Southern District of New York; upon the Factual Allegations in Support of Judicial Removal; upon the consent of JULIO ANALDO HERNANDEZ, a/k/a "Julio Hernandez," a/k/a "Julio Hernandez-Burgos," (the "defendant"); and upon all prior proceedings and submissions in this matter; and full consideration having been given to the matter set forth herein, the Court finds:

1. The defendant is not a citizen or national of the United States.
2. The defendant is a native and citizen of the Dominican Republic.
3. On August 23, 2006, the defendant was removed from the United States pursuant to a final order of removal.
4. The defendant subsequently reentered the United States without having been admitted or paroled, or at a time or place other than as designated by the Attorney General.

5. On November 10, 2021, the defendant was sentenced following his conviction for criminal possession of a controlled substance, in violation of New York State Penal Law 220.18(01).
6. At the time of sentencing in the instant criminal proceeding, the defendant will be convicted in the United States District Court, Southern District of New York, of the following offense: Illegal Reentry, in violation of 8 U.S.C. §§ 1326(a), (b)(2).
7. The above-mentioned offense carries a maximum term of 20 years' imprisonment.
8. The defendant is, and at time of sentencing will be, subject to removal from the United States pursuant to Section 212(a)(2)(A)(i)(I) of the Immigration and Nationality Act of 1952, as amended, (the "Act"), 8 U.S.C. § 1182(a)(2)(A)(i)(I), as a noncitizen who has been convicted of a crime involving moral turpitude (other than a purely political offense) or an attempt or conspiracy to commit such a crime; Section 212(a)(2)(A)(II) of the Act, 8 U.S.C. § 1182(a)(2)(A)(i)(II), as a noncitizen convicted of a violation of (or a conspiracy or attempt to violate) any law of regulation of a State, the United States, or a foreign country relating to a controlled substance (as defined in Section 802 of Title 21); Section 212(a)(2)(C)(i) of the Act, 8 U.S.C. § 1182(a)(2)(C)(i), as a noncitizen who the consular officer or the Attorney General knows or has reason to believe is or has been an illicit trafficker in any controlled substance or in any listed chemical (as defined in Section 802 of Title 21), or is or has been a knowing aider, abettor, assister, conspirator, or colluder with others in the illicit trafficking in any such controlled or listed substance or chemical, or endeavored to do so; Section 212(a)(6)(A)(i) of the Act, 8 U.S.C. § 1182(a)(6)(A)(i), as a noncitizen who is present in the United States without being

admitted or paroled, or who arrived in the United States at any time or place other than as designated by the Attorney General; and Section 212(a)(9)(C)(i)(II) of the Act, 8 U.S.C. § 1182(a)(9)(C)(i)(II), as a noncitizen who has been ordered removed under Section 235(b)(2), Section 240, or any other provision of law, and who enters or attempts to reenter the United States without being admitted.

9. The defendant has waived his right to notice and a hearing under Section 238(c) of the Act, 8 U.S.C. § 1228(c).
10. The defendant has waived the opportunity to pursue any and all forms of relief and protection from removal.
11. The defendant has designated the Dominican Republic as the country for removal pursuant to Section 240(d) of the Act, 8 U.S.C. § 1229a(d).

WHEREFORE, IT IS HEREBY ORDERED, pursuant to Section 238(c) of the Act, 8 U.S.C. § 1228(c), that the defendant shall be removed from the United States promptly upon his release from confinement, or, if the defendant is not sentenced to a term of imprisonment, promptly upon his sentencing, and that the defendant be ordered removed to the Dominican Republic.

Dated: New York, New York

10/4 2022


HONORABLE VALERIE E. CAPRONI
UNITED STATES DISTRICT JUDGE